

Message Text

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FM SECSTATE WASHDC
TO USMISSION OECD PARIS

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FOL REPEAT LIMA 2219 SENT ACTION SECSTATE INFO USUN MAR 08

QTE

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FOR EB - BOEKER; L - FELDMAN; TREAS - LANGE; COMMERCE -
ARRILL: CIEP - GRANFIELD

E.O. 11652: N/A
TAGS: OCON, EFIN, ECOSOC, PE
SUBJECT: U.S. PROPOSAL FOR INTERNATIONAL AGREEMENT ON BIBERY

REF: LIMA 2202

1. REACTION TO OUR BRIBERY STATEMENT ON FRIDAY HAS BEEN MIXED. WEO'S ARE GENERALLY SKEPTICAL ALTHOUGH NOT OVERTLY HOSTILE TO OUR DEMARCHE. GERMANS AND FRENCH, IN PARTICULAR, HAVE PRIVATELY EXPRESSED CONCERN THAT THERE WAS NOT MORE TIME FOR CONSULTATIONS AMONG DEVELOPED COUNTRIES BEFORE THIS WAS PUT ON THE TABLE. G-77 CONTACTS INDICATE CAUTIOUS BUT NOT ENTIRELY UNFAVORABLE INITIAL RESPONSE. CLEARER PICTURE MAY EMERGE FROM WEO AND COMMISSION MEETINGS MONDAY AFTERNOON, ALTHOUGH FURTHER DISCUSSIONS ON THIS POINT MIGHT WELL BE DELAYED UNTIL LATER IN THE WEEK WHEN REACTIONS FROM
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CAPITALS ARE IN.

2. KEY ISSUE SURFACING IN CONVERSATIONS WITH BOTH WEO'S AND G-77 DELEGATIONS RELATES TO MANDATE ISSUE. IT APPEARS LIKELY THAT THE COMMISSION'S MANDATE TO NEGOTIATE AGREEMENT DEALING WITH GOVERNMENT UNDERTAKINGS WITH REGARD TO BOTH TRADE AND INVESTMENT TRANSACTIONS WITH MNE'S AND OTHER ENTERPRISES WILL BE BROADLY CHALLENGED.

3. VARIOUS SOLUTIONS TO MANDATE PROBLEM MAY BE POSSIBLE, E.G.,(1) REQUEST ECOSOC FOR SPECIAL AUTHORITY FOR COMMISSION TO NEGOTIATE THIS AGREEMENT,(2) RECOMMENDATION TO ECOSOC THAT THEY APPOINT WORKING GROUP TO DEAL WITH THIS,(3) RETURN TO GENERAL ASSEMBLY FOR BROADENED AUTHORITY FOR COMMISSION UNDER PARAGRAPH 6 OF BRIBERY RESOLUTION (A/C.2/L.1437).

4. REQUEST DEPARTMENT' S VIEWS AND ADVICE CONCERNING MANDATE ISSUE AS IT RELATES TO BRIBERY AGREEMENT.
DEAN

UNQTE
KISSINGER

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Message Attributes

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